

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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CYNTHIA OYEBANJI

Plaintiff

COMPLAINT

-against-

Docket No.:

PALMETTO VACATION RENTALS LLC and
JOHN DOE A to Z, individually, jointly
and/or severally

Defendants
-----X

Plaintiff, CYNTHIA OYEBANJI, residing at 17 Colgate Drive, City of Newark, County of Essex and State of New Jersey, complaining of the Defendants herein says:

JURISDICTION

1. The Plaintiff, CYNTHIA OYEBANJI, is a citizen of the State of New Jersey residing at 17 Colgate Drive, City of Newark, County of Essex and State of New Jersey.
2. Upon information and belief, the Defendant, PALMETTO VACATION RENTALS LLC, is a business entity of the State of South Carolina, with a principal address of 4101 Mayfair Street, Myrtle Beach, State of South Carolina 29577.
3. The amount in controversy, without interests and costs, exceeds the sum or value specified by 28 U.S.C. § 1332.

FIRST COUNT

4. On or about July 19, 2018, the Plaintiff, CYNTHIA OYEBANJI, was lawfully on premises located at 5523 North Ocean Boulevard, Unit 1608, Myrtle Beach, State of South Carolina 29577.

5. On or about, July 19, 2018, the Defendants, PALMETTO VACATION RENTALS LLC and JOHN DOE, A to Z were the owners, occupiers and/or were responsible for premises known by and as 5523 North Ocean Boulevard, Unit 1608, Myrtle Beach, State of South Carolina 29577.

6. Defendants JOHN DOE, A to Z, represents any owner, occupier, possessor, maintainer, or maintenance company which may at the time of the accident been the owner, occupier, or otherwise maintained the aforementioned premises.

7. At the aforementioned time, Defendants, PALMETTO VACATION RENTALS LLC and JOHN DOE, A to Z, so negligently owned, operated, possessed and/or maintained those premises so as to cause the Plaintiff, CYNTHIA OYEBANJI, who was lawfully on such property to fall.

8. As a result of the negligence of the Defendants, PALMETTO VACATION RENTALS LLC and JOHN DOE, A to Z, the Plaintiff, CYNTHIA OYEBANJI, was seriously and permanently injured, suffered and in the future will be caused to suffer great pain, and anguish, did and in the future will be required to expend diverse sums of money for treatment and cure and did and will in the future be prevented from attending to the plaintiff's needs.

WHEREFORE, the Plaintiff, CYNTHIA OYEBANJI, demands judgment against the Defendants, PALMETTO VACATION RENTALS LLC and JOHN DOE, A to Z, individually, jointly and/or severally, besides legal interest and costs of suit.

DEMAND FOR JURY TRIAL

Plaintiff hereby demand a trial by a jury of six (6) persons as to all issues so triable.

NOTICE OF TRIAL COUNSEL

Please take notice that Benjamin M. Del Vento, Jr., Esq. is hereby designated as Trial Counsel in the above-captioned matter for the firm of Benjamin M. Del Vento, PA.

CERTIFICATION

I, the undersigned, do hereby certify to the best of my knowledge, information and belief, that except as hereinafter indicated, the subject matter of the controversy referred to in the within pleading is not the subject of any other Cause of Action, pending in any other Court, or of a pending Arbitration Proceeding, nor is any other Cause of Action or Arbitration Proceeding contemplated;

1. OTHER ACTIONS PENDING.....YES___NO ☒

A. If YES - Parties to other Pending Actions.

B. In my opinion, the following parties should be joined in the within pending Cause of Action. None at this time

2. OTHER ACTIONS CONTEMPLATED?.....YES___NO ☒

A. If YES - Parties contemplated to be joined, in other Causes of Action.

3. ARBITRATION PROCEEDINGS PENDING?.....YES___NO ☒

A. If YES - Parties to Arbitration Proceedings.

B. In my opinion, the following parties should be joined in the pending Arbitration Proceedings. None at this time

4. OTHER ARBITRATION PROCEEDINGS CONTEMPLATED?.....YES___ NO ☒

In the event that during the pendency of the within Cause of Action, I shall become aware of any change as to any facts stated herein, I shall file an amended certification and serve a copy thereof on all other parties (or their attorneys) who have appeared in said Cause of Action.

Respectfully submitted,
BENJAMIN M. DEL VENTO, P.A.
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Attorneys for the Plaintiff
Cynthia Oyebanji

Dated: July 14, 2020